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# THE REORGANIZATION OF THE FEDERAL GOVERNMENT—AN ALTERNATIVE PROPOSAL<sup>1</sup>

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THERE are two essentially different view-points from which to consider and critically appraise proposals for reorganization, or rearrangement, of the departments and offices of the federal government, viz., (1) the view-point taken by those who assume that there should be "no change in the fundamentals of the *structure*" of the government *as is*—as exemplified in the report of the National Budget Committee, and (2) the viewpoint of those who regard the "structure" of the federal government *as is* to be a departure from the original plan and purpose—at variance with principles of representative government, and incapable of adaptation to meet the requirements of economic and efficient administration.

## I

### *Basis of Criticism and Appraisal of Plans for Governmental Reorganization*

At the outset be it said that these two views do not arise out of or involve controversy over *fundamentals* in the sense that one group of critics is supporting and another attacking the Constitution. It is a case in which each party is equally zealous in its support of that great charter which has been "the admiration of all . . . ages and the model of all . . . governments"; each accepts with equal enthusiasm the appraisal of that great statesman who characterized our Constitution as "the most perfect work ever struck off by the brain and purpose of man at a given time." It is a case of difference arising from

<sup>1</sup> This paper was prepared as a critical report on the "Proposal of the National Budget Committee," and was sent to the several speakers before the meeting. The author's remarks before the Academy were an *ex tempore* presentation of certain points raised by the report.

the fact that each for his own purposes has given to the same written instrument quite a different meaning.

On many questions there have been differences of constitutional interpretation. The subject before us is that of *organization*—organization for efficient group action. Organization-for-group-action is essentially an arrangement of the personnel of an associate body or society for *leadership*. Differences in organization-for-action are differences in arrangements for *executive* as distinguished from Congressional leadership. The differences in interpretation that engage our attention are those which impart to the clauses of the constitution two widely separated, diametrically opposed, meanings so far as they have a bearing on the subject of *executive leadership*.

That this point may be made quite clear, let us get the clauses and the differing interpretations of them before us: Article II, Sec. 1, of the Constitution provides:

The Executive power shall be vested in a President of the United States of America.

What does "the Executive power" mean? What did it mean in 1787? What was its meaning in the writings of Montesquieu, which were largely read and followed? What did it mean in the minds of those who sat in the Convention and who finally decided to set up the three independent branches—executive, legislative and judicial? Did it not mean that the institutional purpose of the one branch (the Executive) was to provide for strong, effective executive leadership—leadership for group achievement; that the institutional purpose of the other two branches was to establish and impress on leadership-for-group-action concepts of justice as an essential to popular good will. In other words, was it not conceived that in the executive branch the nation would find its motor-organization, and in the legislative and judicial branches it would establish effective organs of control over the motor-organization? And was not the preachment of Montesquieu based on an old-world experience which had come to recognize the fact that effective executive leadership is an essential to group motorization—just as essential to cooperative achievement as are the organs and agencies of political, social and individual justice essential to good will? Is not this the im-

port and purpose of democratic as distinguished from autocratic institutions: that while both recognize the need for executive leadership as an essential to achievement in the interest of physical well-being, democracy insists that executive leadership shall be responsive to the common moral consciousness of the group as to what is right and serviceable? And, that democracy erects institutions of control competent to make executive leadership responsible, and responsive to common ideals of justice? Was not this the intent and purpose of the constitution to create organs of control by means of which group opinion, consciousness of right, might rule over the executive without weakening the effectiveness of executive leadership?

Washington, who was chairman of the Convention that drafted the Constitution (and who was as free from partisan bias and personal ambition as any man who ever lived) when he was called by the people to exercise the new powers of chief executive, and Hamilton (among the "fathers" the outstanding genius in matters of organization, one of the three great commentators on the Constitution before its adoption) interpreted the clause quoted to mean that the President in the exercise of this "power" should be *leader*. Hamilton conceived, and those who share this view then and now conceive, that the President, in whom "the executive power" was vested, should be a responsible leader in support of which interpretation we find language like this:

He [the President] shall from time to time give to Congress information of the state of the Union and *recommend* to their consideration such *measures* as he shall judge necessary and expedient.

No provision is made for a "Cabinet", by the Constitutional Convention; the Senate was made the President's advisor—but this was at once found by experience to be unworkable and a "Cabinet" of Washington's own choosing was substituted. As executive leader, the President was given the appointing power; was given the Constitutional right to obtain from heads of departments such information as he might desire "upon any subject relating to the duties of their respective offices;" and to the end that the executive might be made *responsible* both for his acts and proposals in the exercise of his powers, Congress was clothed with the fullest inquisitorial functions;

and Congress was given control over the public purse as a means of making the moral judgments of the people effective as against the executive. His appointments must be concurred in by the Senate; every administrative act and every proposal with respect to the public service was to be scrutinized and approved or disapproved by a majority of the members of both houses—to which end it was required that “regular statement and account of receipts and expenditures of all public monies” should be prepared and published, and “no money shall be drawn from the Treasury [by the President or anyone in the executive organization] but in consequence of appropriations made by law.”

These provisions giving to Congress the power of inquest, and control over the purse, however, were not interpreted by Washington and Hamilton to mean that the executive branch (as the motor-organization) was to be deprived of central *executive leadership*; or that the people were to be deprived of the means for making those who directed motorization *responsible*. These provisions were not thought of as an attempt to set up a government with the defects of the old Continental Congress—an institution which provided neither for motor-organization nor executive leadership except for military purposes. It was not thought that this was an attempt simply to create a motor-organization and leave it without executive leadership. Washington and Hamilton did not so understand it. They did not understand that it was the intention of the Constitutional Convention to make the organ of political and social justice (Congress) responsible for the leadership which was to be investigated, critically appraised, dramatized before the people, and controlled by the representatives of the people. They had no thought that it was meant to deny the executive as trusted leader the right to go before the Senate when he had business with them as Constitutional advisors to obtain their concurrence in appointments and in exercise of the treaty-making power; they did not understand that it was the intention to deny the executive the right to go before the House (and the Senate if he desired) to give an account of his stewardship and present measures which he might “judge necessary and expedient” for the public service of which he was made the Constitutional

head. In the view that the executive was looked to for leadership, Washington sought to confer with the Senate, but had to give it up. In this view an account of stewardship and a plan for the future was carefully worked out, with a request for appropriations; this having been prepared by Hamilton, and approved by Washington, the pleasure of the House was asked as to when Hamilton could come before them to present it. Such is one interpretation of the fair meaning and purpose of the Constitution—in fact, of the genus of representative government itself.

Let us now turn to the second view—the other interpretation of our Constitution. This first takes form *in Congress*, not in the constitutional convention. For twenty-five years (it may be said for one hundred and twenty-five or more years before the convention of 1787) the American people had been opposed to irresponsible executive leadership; and in a war of rebellion they had set aside this kind of leadership. Because a foreign parliament refused to accord them this principle—refused to the American representative bodies and electorates the powers of inquest and control over the executive—because the English government insisted on maintaining here an irresponsible executive leadership, the American people rose up in opposition, and finally they destroyed the executive. In this emergency they looked for leadership, first to improvised revolutionary “committees”; and later to regular constituted representative “committees”. For fourteen years this type of “committee” leadership was exercised, in representative bodies and out, with all the weakness and confusion incident to such a system.

The Constitutional Convention was called to cure this weakness; but they found it a hopeless task and therefore the new Constitution was drafted. The adoption of the Constitution was a peaceful revolution against the “committee” system. But those who had become accustomed to the exercise of these powers (those who, through service and by “consent”, had come to be looked to by their “constituents”) found places in the new representative body; and there they sought to hold the leadership which had been exercised during the fourteen years, nearly half a generation, when there was no executive branch. In Congress these leaders set themselves up against

the request of the executive to have a duly accredited member of the Cabinet come before the representative body for a hearing on what Washington and his subordinates had done and what was proposed. Through Hamilton, he and his associates asked for a full hearing and fair trial by an open-forum procedure. He asked that he might have a chance to face his critics and adversaries. But this was denied. And the hold which the "leaders" in Congress had on the country at a time when there was a reaction against the federal idea was such that Washington consented—to the interpretation of members of their own and his constitutional rights and duties.

This action, or decision, was momentous in its consequences. Instead of laying the foundation in experience for the development of a procedure of inquest and control which would make strong, virile statesmanlike executive leadership compatible with popular sovereignty, it fastened on the nation (under the Constitution) the "standing-committee" system. In its out-working, it gave us an agency for service (a government) which with all its implications and attributes of "invisibility" and "irresponsibility" whose "structure"—the structure elaborated by Congress—has been fundamentally and characteristically different from the structures reared by the other leading democracies of the world. Instead of preserving the independence of the two branches, as was in contemplation by our fathers, it destroyed responsible executive leadership—forcing the President, so far as he exercised any leadership at all, to resort to secret dealing with the manifold irresponsible "leaders" set up in the appropriating, inquisitorial body. It destroyed the "balance" which was sought to be established in the representative system, by taking over leadership in matters of administration and finance into the body or branch of the government instituted for critical review and for determination as to whether the one group of administrative officers or another should be entrusted with the direction, and use of executive power. It not only destroyed the character of the representative body, as a court of political and social justice; it also destroyed or weakened the power of the "electorate" as the democratic organ through which public opinion was to be voiced in deciding questions on appeal to the people—and for periodically choosing the leaders they would trust.

It set aside the essentials of the representative system, as a democratic device, by destroying the court of inquest instituted for the trial of questions of political and social justice. It closed the constitutional open forum. And, with leadership in matters of finance and administration transferred to chairmen of congressional committees, they chose to adopt secret methods of deciding questions of public policy. Congress reduced the executive to a "superintendency"; took to itself the function of leadership; and parcelled it out to "standing-committees"—the chairmen of which in time gained and held their position, not by reason of the good will of a national electorate, but for length of service to voluntary self-appointed, self-perpetuating organizations called "parties" that came to exist outside the government. It paved the way for the organization of a group of "managers" who, in the oft-quoted phrase of Senator Root, are "elected by no one, accountable to no one, bound by no oath of office, removable by no one"—again using his phrase, it prepared the way for government by an "irresponsible oligarchy".

Leadership in matters of administration and finance has come to be divided among forty-one Senate committee-chairmen, and thirty-five House committee-chairmen (see pages 60 to 63 for list) to which the heads of bureaus and offices are required to go for accountability and with their plans for the development of the public service; and these chairmen, with the "party" managers inside and outside the committee rooms, also in large measure control the appointments to be made with each incoming administration. In fact, through the appropriations, they hold the whip over the whole service including these who have come to be protected by civil service regulation. Thus, leadership on the business side of the government has been transferred from the executive to the deliberative branch; and deliberation from the open forum set up by the Constitution to the secrecy of the committee room, the determinations of which are put through on the floor under the "party" lash. Adverting to the descriptive phrase of Senator Hoar (whose long service in Congress gives him a right to speak with authority) Congress became an aggregation of "little legislatures", as a result of which

Hundreds of measures, of vital importance, receive—near the close of an



exhausted session, without being debated, printed, or understood—the constitutional assent of the representatives of the American people.

The necessary outworkings of such a system are inefficiency and waste, because the system has been used to upset or paralyze all the organs of the body politic whose function is the maintenance of national good will; and because the constant intermeddling of those who have arrogated to themselves leadership has prevented the upbuilding of an effective organization-for-action.

This gives us our historic bearing and background for understanding why it is that we have such a “hodge-podge” of machinery for transacting the business that the executive is called on to “superintend”; and why it is that “there is throughout the length and breadth of this state [land] a deep and sullen and long continued resentment at being governed thus.”<sup>1</sup> This gives us a basis for understanding why it is that a practical-minded people have had a public administration so unpractical, unbusinesslike and ill-suited to the work to be done—the defects in which have been so fully set forth from time to time in the several reports that have been made on the subject.<sup>2</sup> This historic review also gives to us our two angles from which any “proposal” for reorganization may be considered.

## II

### *Appraisal of the “Proposal” of the National Budget Committee*

The viewpoint of the National Budget Committee and of those who would not disturb this standing committee system is the one first above described. To make sure that there would be no doubt on this point, it is frankly stated. For example: in its “proposal” the National Budget Committee say the adoption of its plan of departmental reorganization “involves no change in the fundamentals of the governmental structure” *as is*. Our first appraisal therefore is from the same viewpoint—a sympathetic consideration of this “proposal” to see wherein the “piecemeal building by successive Congresses practically

<sup>1</sup> Speech of Senator Elihu Root before the Constitutional Convention of New York, 1915.

<sup>2</sup> During the last century more than a hundred official reports have been made by congressional committees and executive commissions each of which points to defects, overlappings, conflicts and waste.

without a plan," may be rearranged to make the government a better instrument of service than it now is; or, to use their own language, to see what can be done "to effect such a regrouping of the agencies that have been brought into existence in this piecemeal fashion, and such a rearrangement of the activities which from time to time have been authorized by law, as will insure the most economical and effective prosecution of the proper objects of government as they have been determined by Congress."

Without question the "regrouping" has much to commend it. Even though we continue to accept the time-honored interpretation of Congress, that the President and Cabinet are merely a "superintendency" (that leadership should be broken up among the chairmen of standing committees of the inquisitorial branches, thereby depriving the country of its critical democratic faculties, and substituting an "irresponsible oligarchy" for "responsible executive leadership") still much may be done to make this "superintendency" more effective by bringing together those who have kindred and related problems with which to deal. There is everything to commend the principle; there is everything to commend a better correlation of the administrative "faculties". In this respect the problem of rearrangement or readjustment of the several working parts of the machine, or complement of machines, by means of which the public is to be served is the same whatever kind of prime-mover is used, and however ill-adjusted or disintegrate the means of "transmission" of power. Proceeding from this assumption, the following questions are raised with respect to the realignment in the "Proposal for Reorganization" submitted by the National Budget Committee:<sup>1</sup>

1. It is questioned whether the Federal Prisons should be continued under the jurisdiction and control of a "faculty", or administrative group, whose primary function is that of "prosecution". Isn't this a misfit? What is the end to be achieved by the prisons? Is it to continue prosecution, or persecution? Or is it to give to those who have been animated by selfish motives

<sup>1</sup> Report entitled: *Proposal for Government Reorganization*—National Budget Committee, 7 West 8th St., New York, 1920 (48 pages); 2nd edit., 1921, price 25 cents.

to such an extent that they have become anti-social, a chance to readjust their lives to ideals of "service"? Is the purpose of maintaining institutions for delinquents one of "vengeance" or is it "training for citizenship"? If the latter, then should not the "Prisons" be placed under a "faculty" whose duty and responsibility it is to deal with problems of "education" and "social welfare"?

2. For like reason it is questioned whether "pardons" should be left in the "prosecuting" department. From the viewpoint of society in considering applications for pardons, is not "prosecution" the one thing to be kept out of it or very far in the background? Instead of this public function being left to the prosecuting "faculty", should not the powers and duties be transferred to the "social welfare" group, with such amplifications as to make possible an up-to-date plan of parole and probation really a part of the outworking of the problem of social reconstruction?
3. The next item (running down the list of agencies as regrouped by the National Budget Committee) concerning which question is raised is, the "United States Botanical Gardens"—it being proposed to put this in the Department of Agriculture. On the face of it, this seems reasonable. But this institution is only indirectly connected with the public service—it certainly has nothing to do with the problems to be administered in the department which serves the farmer. Its chief function is to raise and cut flowers for members of Congress and their families. As it has been developed, it is one of the "perquisites" of members of the representative body. Why lumber up the Administration with this?
4. A fourth question is raised with respect to the relations and functions of the proposed Departments: "Agriculture", "Commerce", and the proposed (new) Department of "Public Works". By process of elimination, it appears that, with noted exceptions, all the "faculties" of the government which are to interest themselves in those services that have to do with agriculture, fisheries, mining, manufacture, transportation,

commerce, etc., are to be associated either in a department of "*Agriculture*" or "*Commerce*" or "*Public Works*". The exceptions noted are listed as "*Independent Establishments*" — discussed later. As between the three departments named, the first question to be decided is what principle of correlation shall be employed to determine whether one or another bureau or agency shall be associated in one administrative department or the other. Or, putting the question in another form: To what departmental "faculty" shall the head of each bureau or office charged with these several kinds of services listed become a part? And what principle, if any, determines the exclusion of certain related services from all three of the above departments—causing them to be listed as "independent"? The lines of demarkation would seem to be these; (1) the primary purpose, or interest, which the Department of Agriculture is planned to serve, is to *safeguard and promote* agriculture and forestry in all their many and varied specializations—to provide farmers, gardeners, orchardists, timber-culturists, etc., with the staff and other aids necessary to make them more highly successful; (2) the primary purpose, or interest, which the Department of Commerce is planned to serve, is to *safeguard and promote* fisheries, mining, manufactures, transportation, foreign and domestic commerce, etc., (with all their many and varied specializations)—to provide persons or corporations so engaged with technical staffs and other governmental aids; (3) the primary purpose or interest which the Department of Public Works seems to be planned to serve is to *provide a central or common engineering staff* and other necessary aids to the construction and operation of buildings and other structures, mechanical and other material devices and facilities, needed by any department of the government in the performance of the public service functions to which its specialized "faculties" are to address themselves; (4) the specialized "faculties" which are set up and listed in the "proposal" of the National Budget Committee as "Inde-

pendent Establishments " so far as they have to do with " agriculture ", " commerce " or " works ", are either *regulative* or *operative* nationalized-undertakings. If this analysis of the purpose of the several departments enumerated is correct, then it would seem that the National Budget Committee plan before us has done violence to the principles of effective organization in a number of important particulars, as will appear from the paragraphs which follow.

5. A fifth question is raised with respect to the suggested allocation of the Bureau of Public Roads, which it is proposed to transfer from the Department of Agriculture to the suggested new department of Public Works. Simply because a corporation or government maintains never so large or never so competent a department for engineering planning and for construction is no reason why this engineering department or any branch of it should have also the determination of what work or works should be undertaken, or which of two or more projects is the more important. Roads are not an end in themselves. They have to do with and are an aid to agricultural, industrial or commercial development. The need for transportation is not a matter for a construction staff to determine. Whatever be the advantage of maintaining a common engineering service, however this may be organized and specialized and however efficient it may be for service, would it not be the part of wisdom to maintain in the Agricultural Department a bureau to study the needs for highway development, as a part of a scheme of state cooperation? Would not the same kind of facility be required in the department of commerce to study the needs for the development of trunk roads and trade routes? And if these promotive " faculties " are so provided in these respective departments, may they not have engineers assigned to them by " Works " for " preliminary surveys ", and for " estimates ", and then have the projects which are approved turned over to the " Works " department for construction?
6. Similar questions may be raised with respect to the

"reclamation services." These, like highways, are not an end in themselves; they have to do with and are an aid to agricultural development. Should they not be planned as a part of an agricultural development program—the "faculties" for promoting which are in that branch of the public service? Why should not this department have a reclamation bureau or office and then call on the "Works" department for staff aids in planning a developmental program consistent with the agricultural interests—turning over projects for details of specification and construction to the governmental engineering service? Without this we may have another long series of "Works" misadventures that will parallel the Rivers and Harbors scandals.

7. Again having in mind the evident purpose of a department of commerce (a department with specialized "faculties" devoted to the promotion of the national interest in manufactures and foreign and domestic commerce) why have a group of services devoted to this interest set up as "Independent Establishments" such as the "United States Tariff Commission", and the "Federal Trade Commission"? Simply because they are organized as "commissions" would seem to be no reason why they should be detached—reporting to no one, and without an official contact that would help to correlate their activities to other services in the same field that have a common general purpose. Should not the need be recognized at least for "liaison", the bureau of "Foreign and Domestic commerce" with the Assistant Secretary responsible for these specialized services? Should not these "independent establishments" be "grouped" in the Department of Commerce, for purposes of Cabinet representation? Whatever be the virtue of "independence", there would seem to be no reason for making a virtue of ignorance, and working to cross purposes.
8. Having in mind the intimate relation of institutions of credit to commerce and industry, why should not a similar organic relation be established with the "Federal Reserve Board", the "War Finance Corporation"

and the "Farm Loan Bureau"? The primary purpose of the "Federal Reserve Board" is not to aid the "Treasury" in financing government loans; this agency has been nearly wrecked as an institution of commercial credit by having it so considered. Without question the "War Finance Board" name should be changed; so far as it is to be further availed of it should function with the "faculties" devoted to the working out of a national program for the promotion of industry and commerce. There may be question as to whether the "Farm Loan Bureau" should not function with the faculties devoted to the promotion of agriculture. But there would seem to be no reason why it should remain in the Treasury. Assuming that there is a reason why this should be in a position to act independently (to prevent the agricultural "promoting" interests from running away with the enterprise) the Farm Loan institution could be put under a separate board that would give it an independent status in exercise of discretion, but still make it a part of a "department" for purposes of planning and executing policies, and correlating activities of vitally related groups.

9. The same kind of question may be raised with respect to the "Interstate Commerce Commission", the "United States Shipping Board", the "United States Railroad Administration", the "Panama Railroad Corporation", and the "Panama Canal". These are all services and faculties for the promotion of commerce. Why should there not be set up in the Department of Commerce a branch, under an assistant secretary, charged with the duty and responsibility of correlating these organs or agencies of public service. They might still retain their separate corporate existence, but be brought into a close working relation with the department devoted to the upbuilding of commerce and industry. But the nation cannot act intelligently in its effort to build up a merchant marine unless this is considered part of a program which includes tariffs, markets, selling organizations, credits, and production.

These are all interrelated parts, and no one of them can be intelligently considered or developed by itself.

10. Assuming that the Department of Interior is to be disbanded by transfer of functions, and in its stead a department established as suggested by President Harding for the development of national program of Social Welfare, including the related "faculties" devoted to "Education", "Health" and what is more narrowly considered as "Social Welfare". Then, with this organic provision for correlation of functions why could not the benefits of "Specialization" be fully availed of by having each of these specialized "faculties" put under a separate assistant secretary? And then, if this is done, why should not the Smithsonian Institution with its related enterprises—The "United States National Museum", the "International Exchange" the "Bureau of American Ethnology", the "Astrophysical Observatory", the "National Zoological Park", the "International Catalogue of Scientific Literature"—all of them be brought by liaison into working relation with the "Faculties" under the Assistant Secretary for Education? And why should not the "Federal Board for Vocational Training" and the "Vocational Rehabilitation Section" be brought under the same authority? Why should not a bureau or office for "liaison" with the various health agencies under the Army and Navy be set up under the Assistant Secretary for Health? Why should not the "Children's Bureau", the "Superintendent of Prisons", a "Bureau of Parole, Probation and Pardons", and the "National Home for Disabled Soldiers" be under an Assistant Secretary for Social Welfare? Then, if the social insurance and pension features of the federal government were brought under an Assistant Secretary for Compensation, would this not give to the people a well-rounded "faculty" for serving their social welfare interests, capable of almost indefinite development?<sup>1</sup>

<sup>1</sup> This is based on the assumption that "Education", "Health" and "Social Welfare" are to be brought together under a single Cabinet officer. Should any of these be set up as a separate department, it would be necessary only to elevate the corresponding assistant secretary to cabinet rank and provide for liaison.



11. Why should there be a list of eighteen "Independent Executive Establishments" set up (or, for that matter, any office or establishment) that is not required to report to or through one or another of the department heads, thereby depriving them of representation in the Cabinet, and depriving the President and the people of the benefits of close coordination of the working parts of the public service? Even considering the President and his Cabinet only as a "superintendency", there would seem to be very cogent reason for giving to the service coherence.
12. Why should not the following "Independent" bureaus and offices be constituted under a "Secretary of Administration", who would be in the Cabinet and act for the President as a staff organization to aid him in keeping in touch with and correlating the several services devoted to problems of administration and personnel: "The United States Bureau of Efficiency"; the "Bureau of Supplies"; the "Central Purchasing Committee", the General (administration) Accounting Offices"; the "Civil Service Commission", the "Committee for the Standardization of Salaries and Grades"?
13. Why should not the work of the "Pan-American Union" and the various "International Commissions" be correlated by proper organic arrangements with the Department of State—and, so far as they function for our federal government, be represented in Cabinet by the secretary of that department?
14. Why should not the "National Advisory Committee on Aeronautics" be correlated by proper organic arrangements with the Departments of "War" and "Navy"?
15. Having in mind the fact that the heads of public service departments in the "Cabinet" of the President are all responsible for the exercise of executive "powers", independent judgment on the part of the chief executive would seem to require that he have subordinates who are "purely advisory". That is, there would seem to be need for detachment from executive responsibility on the part of those carrying on investigation and giving expert advice in the de-

velopment of a correlated program. Especially would this seem to be true in the development of a program of national welfare (a program of "conservation" using the term in its broadest sense). With this end in view would it not be well for the President to have a non-executive "purely advisory" staff or group (as well as an "executive" Cabinet devoted to this interest) made up of persons of known ability who may be found willing to serve in helping to shape plans and provisions for *social* and *material* welfare. Would not this be one of the most effective ways of organizing to "promote the general welfare" in the sense this term is used in the constitution when describing the duties of the President? Would not a "National Conservation Commission" whether voluntary or employed as an aid to "planning" and review of the "execution" of plans for public service, be a desirable part of an administrative or ministerial organization? Something further is said on this question below.

### III

#### *An "Alternative Plan" Submitted to make Executive Leadership Effective*

In the section above, critical and constructive suggestion has gone to the "Proposal" of the National Budget Committee, which has not assumed to depart from or question the principle which has so long obtained, viz.: that the President and Cabinet are to be organized as a personnel set apart for supervising the various bureaus and offices placed under them by Congress—said Congress having taken over to itself and apportioned out to some eighty chairmen the function of leadership in matters of administration and finance. The "Alternative Plan", which is submitted herewith as a basis for discussion,<sup>1</sup> proceeds from quite a different principle of organization, viz.: that the function of "leadership" (*in planning* for administration and finance, *in explanation of plans* to Congress as a determining body, and *in the execution of plans* after they are approved) is an essential part of the "executive power"; and that the

<sup>1</sup> See Appendix, pp. 80-89.

function of the Congress or controlling body, so far as relates to administration and finance, should be that of enforcing responsibility, or accountability, for the manner in which this power is exercised by requiring the "executive" periodically to come before Congress and explain what has been done and what is the plan for the future, withholding financial support until this is done in a manner satisfactory to a majority.

This proposal to be made effective means: (1) that executive leadership be *institutionalized*—i e. that an executive and not a *congressional* organization be provided for leadership in matters of finance and administration; (2) that the rules of Congress be changed to give to responsible executive heads "the privileges of the floor without a right to vote"; (3) that the organization for "leadership" in the Congress, so far as relates to matters of finance and administration, shall give way to and make possible the development of an effective organization and procedure adapted to carrying on the work of a second group of committees (listed on p. 63)—those organized for inquest, criticism, and discussion and for bringing the several branches of the public service out in the open.

### *Organization for Executive Leadership*

For the purpose of this "Alternative Plan" it is assumed that approximately the same correlation of administrative "faculties" would be needed to make *executive leadership* effective, as would be needed to make the most of an "executive superintendency". Therefore the grouping of bureaus and offices of public service would be the same as that indicated in critical appraisal of the "Proposal" of the National Budget Committee. The "Alternative Plan" differs in *essential* only in that it undertakes to submit an outline, with a definite suggestion, for *executive leadership*—not as a recommendation of any particular detail but by way of proposing for consideration certain principles which it is thought should govern or guide those who are responsible for settling detail.

This suggestion is premised not only on the assumption that efficiency requires executive leadership, but also on the further assumption that a definite mechanism or *organization* is just as necessary for *leadership* as it is for service. And in this it follows past reasoning and experience in that

the forces that head up in Congress, for their purposes, have worked out a very elaborate organization for leadership. But for the purpose of this section of our memorandum it is assumed that the present very elaborate organization for leadership is of the wrong kind, and is in the wrong place. In the past, *executive leadership* has not been institutionalized. When the President retires, there is little left in the executive branch of the government except a lot of detached bureaus and offices; and after the new executive has become fully installed the newly created organization for leadership is personal, not institutional. For this purpose a further assumption is engaged, viz.: that the Constitution, providing as it does for the exercises of two kinds of executive power (*military* and *civil*) contemplates two kinds of executive leadership; and, therefore, there is need for two organized institutional groups for leadership in the Executive branch. More concretely: It is assumed that as leader, the chief executive should have the institutional means of discharging his responsibility for planning and (after plans submitted are approved by Congress) for directing two kinds of national programs—one for *national defense* and the other for *national welfare*. And that, as an incident to both of these public service programs, it is thought the executive should be responsible also for planning for *financial support* and *administration*.

With these assumed ends of organization for executive leadership in mind, it may be observed that in the "alternative" plan submitted, an executive cabinet of twelve departments heads is suggested;<sup>1</sup> that under the President and his executive Cabinet three specialized executive groups would be provided for, to which are given the names (1) "National Defense Council"—a war cabinet; (2) "National Welfare Council"—a peace cabinet and (3) the "Administration Council"—an executive or central administrative staff.

In the "Administration Council" (first mentioned in the

<sup>1</sup> The twelve departments would be: (1) State; (2) War; (3) Navy; (4) Justice; (5) Social Welfare; (6) Labor; (7) Agriculture; (8) Commerce; (9) Public Works; (10) Post Office; (11) Treasury; (12) Administration. For this purpose the proposal which has been favored by President Harding for a Social Welfare Department, instead of two or possibly three separate departments (Education, Health and Social Welfare) is adopted.

outline, because the questions to which its "faculties" would be addressed are those nearest to the President and common to the whole public service)—in the "Administration Council" would be an "Assistant Secretary to the President for Administration", Secretary of Treasury, and Secretary of Administration.

In the "National Defense Council" (or war cabinet) would be at all times an "Assistant Secretary to the President for War", the Secretary of State, the Secretary of War, the Secretary of Navy, the Secretary of Treasury, and the Secretary of Administration (or assistants representing the last two).

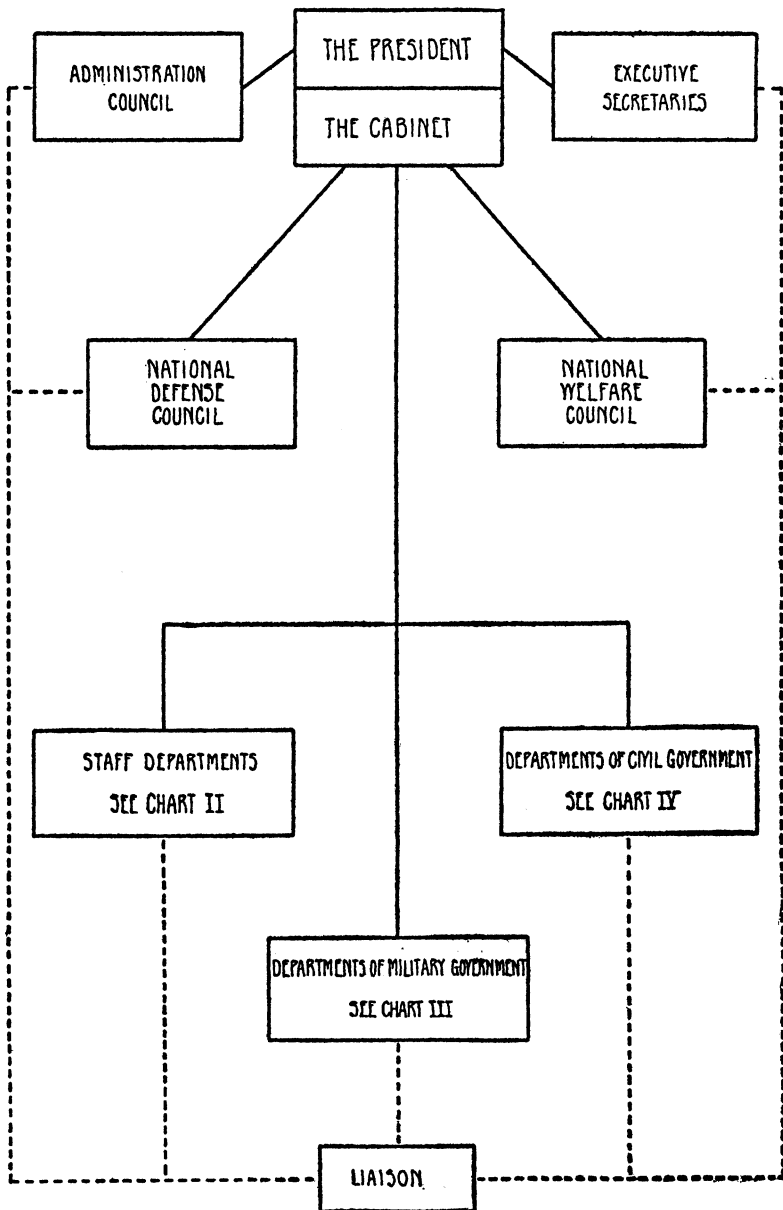
In the "National Welfare Council" (or "Peace Cabinet") would be at all times an "Assistant Secretary to the President for National Welfare", the Attorney General, and Secretaries of Social Welfare, Labor, Agriculture, Commerce, Public Works, Post Office, Treasury and Administration (or assistant representing the last two). Some such an organization for executive leadership as this would enable the president and his executive cabinet to keep in touch with every part of the Public Service, 365 days in the year instead of relying on "sittings" and "hearings" as do most of the congressional committees, or leaving the development of the service to heads of bureaus working with committees.

The outline of the "Alternative Plan" attached is graphically expressed in the text by four charts, the purpose of which is not alone to help to visualize the leading characteristics of the suggested organization for executive leadership, but to illustrate a principle and still further emphasize the incompatibility of leadership of the kind which now exists (leadership by chairmen of standing-committees) with economy and efficiency. First be it noted that on these charts repeated use is made of two terms—"Line" and "Staff". These are names given to two kinds of "faculties" to be associated in the central executive and departmental councils, that are assumed to be needed by a directing head—"faculties" exercising different kinds of executive functions which must be distinguished by persons who would think clearly about organization for efficiency.

An effective organization for any kind of group action (especially one that is complex and highly specialized) corres-

## CHART I

### A SUGGESTED ORGANIZATION FOR CENTRAL EXECUTIVE LEADERSHIP

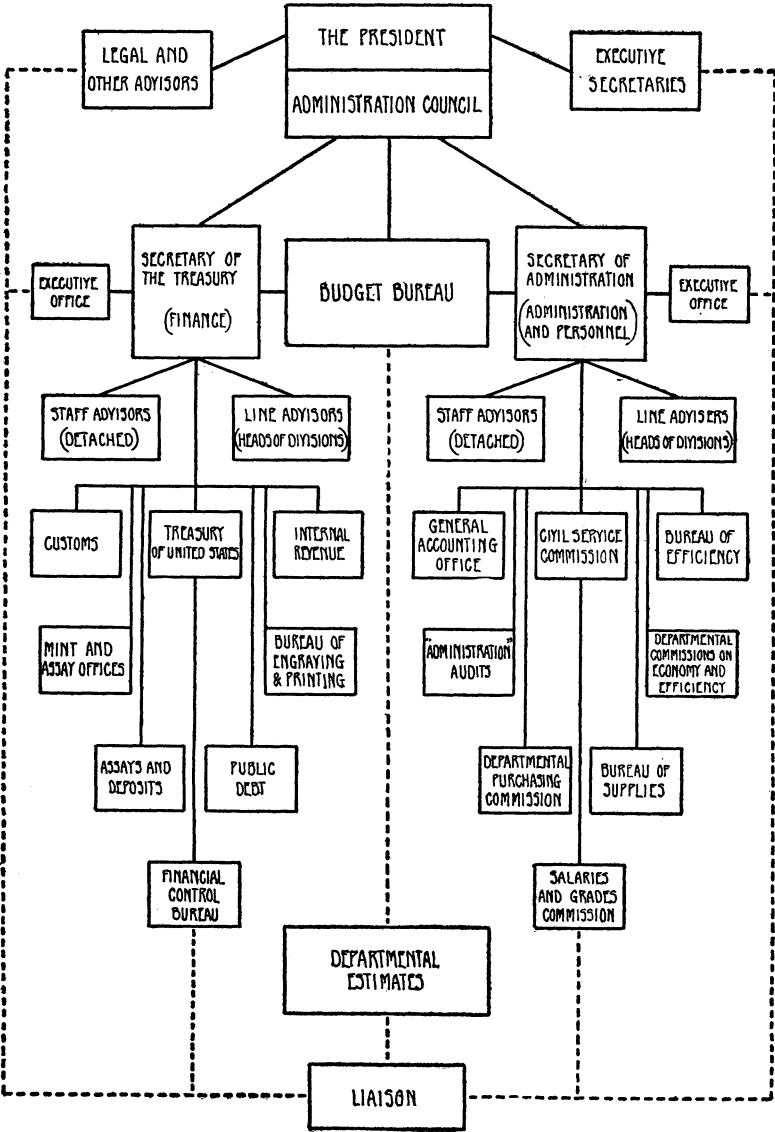


ponds in many ways to the biological organism for the motorization of the human body. Superior to all action of the human motor-parts rises the actuating controlling *will*. But the *will* cannot be serviceable to the body unless it is aided by two kinds of "faculties": (1) a group faculty which devotes itself to the perception of environmental facts and to reasoning about them—to the orientation of the controlling will; and (2) a group faculty which devotes itself to impressing the authority of the controlling will on the cooperating motor-members of the body. The end for which one group exists is knowledge; the end for which the other exists is to translate the controlling *will* thus informed into *action*.

In like manner every well-ordered group management must have an actuating will—an executive with *authority* to "order" or command; and it must have two kinds of organization—one kind made up of a personnel specialized in such manner as to make the *head* intelligent and another kind specialized to develop discipline and make the *actuated members* responsive. In organization for leadership it is quite necessary that "faculties" be provided with a view to make the controlling *will* intelligent as in the human. And it is quite as necessary that lines of communication for the transmission of orders shall run from the controlling will to the motor-members with authority to compel prompt and effective response. On the one hand must be a specialized "*staff*" personnel quite independent of the motor mechanism, which for the head constitutes the faculties of perception and reasoning about environmental facts and conditions to be dealt with outside and inside the associate body; on the other hand must be a specialized "*line*" personnel, quite independent of the staff, that constitutes the needed line of authority—the motor extensory and motor flexory nervous system by which discipline is established and through which the various actuated parts are made coordinate and cooperative. To be effective, both the "line" and the "staff" must be attached to and find their interrelation through the controlling will or executive. Anything which may make it possible for the "line" to act on the suggestion of the "staff" without clearing through a responsible "executive head" operates to defeat the function and purpose of staff specialization. Speaking to the point of the institutional pur-

# CHART II - AN ADMINISTRATION COUNCIL

A SUGGESTED CENTRAL STAFF ORGANIZATION TO AID THE PRESIDENT IN THE EXERCISE OF LEADERSHIP AND CONTROL OVER THE SEVERAL DEPARTMENTS OF THE PUBLIC SERVICE





pose of line and staff organization, Harrington Emerson gives a useful illustration :

A striking example of staff knowledge at the Service of line authority [says he] occurs occasionally on submarines. These boats carry cages of mice. Mice vociferously object to the poisonous gases arising from leaking gasoline or escaping hydrogen. The shrill squeals of the mice call attention to the dangers, and the commander who neglects the warning renders himself liable to courtmartial. Yet the mice exercise no authority and the commander has no personal knowledge. It is staff counsel acted on by line authority that conquers the danger.

The idea that lies back of the "staff" organization is expressed in the old adage, "knowledge is power". The line as distinguished from the staff is the instrument through which the power of knowledge may be grasped and used. The principles which govern all staff activity are principles of science. The principles which govern line activities are principles of organized cooperative society—principles of established human authority and discipline. The organic principle of the line is *obedience* to command. The organic principle of the staff is *individual effort and initiative* devoting itself to search for the truth—the acquisition of knowledge, the discovery of natural laws which operate to control men as well as matter.

The fundamental difference between "line" and "staff" is made more apparent by consideration of standards of perfection to be attained by each. The end of line training and discipline is prompt, effective response without thinking, *i. e.* without the need for thinking. Apt illustration of what is expected of the line is found in Tennyson's "Charge of the Light Brigade"

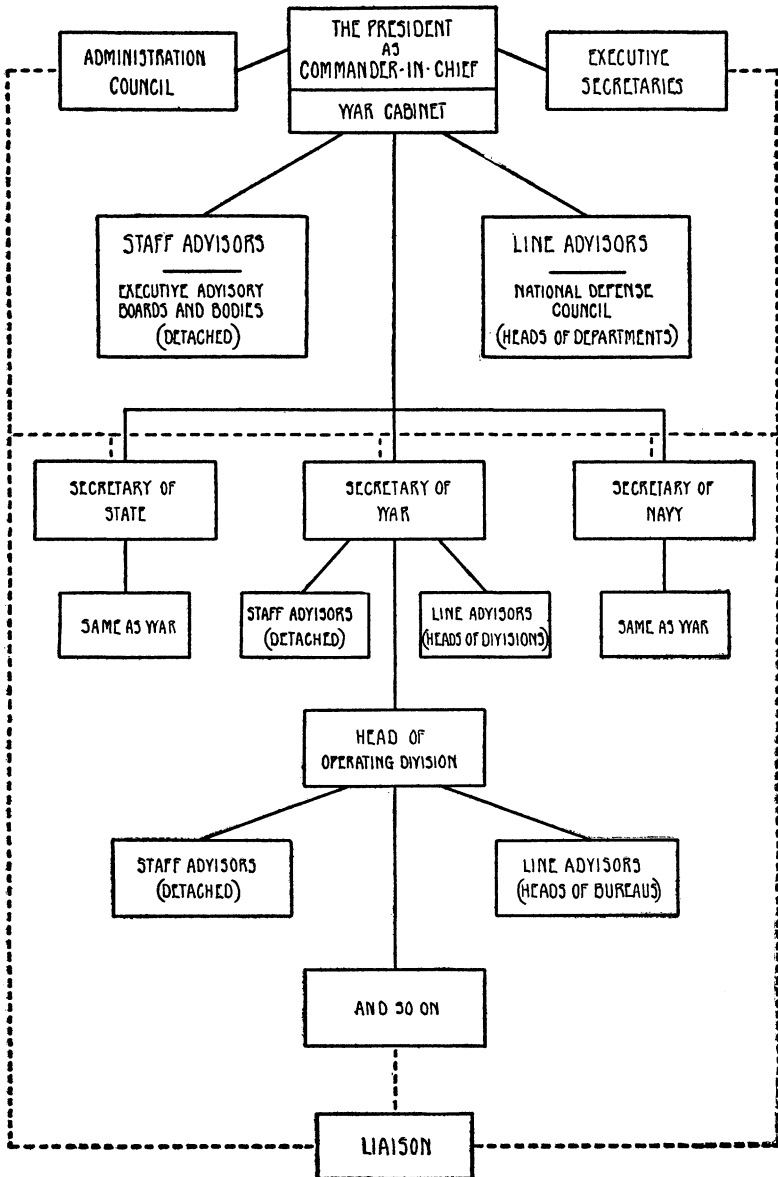
Theirs not to reason why,  
Theirs but to do and die.

in obedience to command.

The purpose of training in "Staff" organization is quite a different thing. It is not *discipline* or reflex action, but *knowledge*—knowledge of things as they are, broadening the scientific basis for executive judgment. The purpose of the staff organization is not prompt obedience to discipline and command for *doing* things without question or thinking what the result will be, but to lay the basis for thinking, for questioning and reasoning about ascertained facts and conditions

# CHART III

## A SUGGESTED ORGANIZATION FOR LEADERSHIP IN THE EXERCISE OF THE WAR POWERS OF THE EXECUTIVE UNDER THE CONSTITUTION



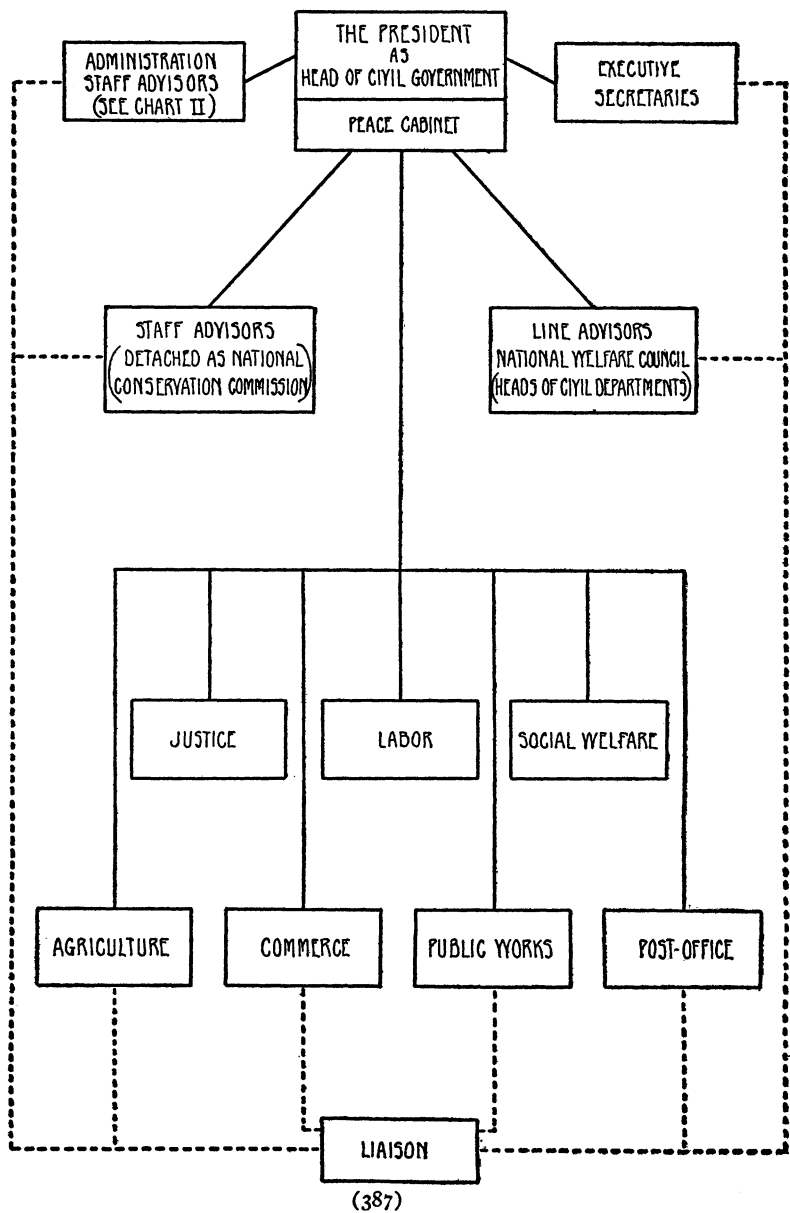
in order that the management may have a better and broader basis for *planning*, for deciding how the disciplined line can be most effectively used to get results, and for making improvements in the line discipline which is to be administered from local centres—if need be, changing the discipline, modifying the reflex action of the organization, with a view to conserving its energy and material resources.

Following this digression by way of enlargement on the principle of organization made use of in the "Alternative Plan" as a suggested device for institutionalizing executive leadership, let us turn to the exemplification of the principle as depicted in the charts. The purpose of Chart I (p. 51) is to show how the President as the chief executive, (the one whose function is to serve the body politic as the chief directing will of the motor-organization) might be provided with the "faculties" needed for intelligence in *planning*, and for efficiency in the *execution of plans*. The suggested departmental organization and the suggested group "councils" have for their purpose to give to the President in all matters of general administrative program (as in the preparation of the budget) two kinds of aids: on the one hand the "Administration Council" as *staff advisors*, and on the other hand department heads of the motor-organization in the executive "Cabinet" who would be his *line advisors*. Members of the President's "staff" advisory council would have no power to issue orders to anyone outside their own departments. All executive orders based on staff knowledge would go out from their chief executive, for the shaping of which the President would have the benefit of counsel from all the investigative, contemplative "faculties", as well as the faculties of generalization based on line experience.

The purpose of Chart II (p. 53) is to indicate an application of this principle to the two departments the heads of which with the President would constitute the "Administration Council". Each of these department heads (Treasury, and Administration) in turn might be similarly provided with his own "staff" and "line" advisors—*staff* advisors detached from the motorized-service-groups, for the purpose of investigation and report and line advisors, composed of his assistant secretaries in charge of the motor-groups.

# CHART IV

## A SUGGESTED ORGANIZATION FOR LEADERSHIP IN THE EXERCISE OF THE CIVIL POWERS OF THE EXECUTIVE UNDER THE CONSTITUTION



The purpose of Chart III (p. 55) is to indicate an application of the same principle to planning and the execution of plans having to do with problems of National defense, including those international relations that rest on diplomacy. The National Defense Council would aid the President in the exercise of his constitutional powers as Commander in Chief of the Army and Navy, and the protection of American interests abroad. The chart also is drawn to show how like provision might be made for "staff" as well as "line" advisors at every point in departmental *organization for leadership* all the way down the line at every point where executive discretion is to be exercised.

The purpose of Chart IV (p. 57) is to indicate an application of the principle to the planning and execution of plans having to do with problems of National Welfare—the exercise the powers of the president as head of the Civil governmental establishments.

The further purpose of the charts as well as of the "outline" shown in Appendix is to indicate how the function of leadership may be institutionalized to give to the President the ability at any given moment to focus all the information and experience (gained by the associate personnel of the government through specialization and selection over a long period of time) on any question large or small that might come to the chief executive, or any of his assistants for decision. On the charts the process of specialization for "line" and "staff" functions has been carried down several points, or through several ranks, not only to indicate that this should become a part of the permanent structure (the personnel of which would not change with each changing chief executive) but also to suggest that there must be a coordination of the "staff" faculties and a coordination of "line" faculties from top to bottom. The thought is that the "staff" organization and likewise the "line" organization, for effective leadership, must each radiate from the head—each branch by process of specialization branching again and again at points of local radiation from each subexecutive or person in position of authority, but each person so specialized in either staff or line being within call, and subservient to those in command.

## IV

*Implication of the "Alternative Plan" as related to Congressional Organization*

Point is made that leadership in matters of finance and administration has been institutionalized in Congress; and that it has not been institutionalized in the executive branch.

What is here suggested with respect to the Congressional organization (the representative, appropriating branch of the government) is not the result of abstract academic reasoning. Whether the present organization is studied analytically from the viewpoint of one who reasons from preconceived notions of adaptation of organ to function, or from the viewpoint of experience, the same conclusion is reached. Any competent person, dissecting our governmental organism to discover what is needed to make it a more efficient instrument of service, would conclude that it must necessarily be weak and wasteful to the extent that its motor-organs lack the means of co-ordination and discipline through staff-guided executive leadership. That which judgment based on reasoning affirms, the verdict of history confirms. The administration of our public service has been weak and wasteful to the extent that Congress has undertaken to perform the function of leadership and has interfered with the development of executive initiative. On occasion, national emergency, as in time of war, has made it necessary to turn from the standing committee system to the executive for leadership. But at such times the functioning of the administration has been wasteful because the organs of executive leadership have been improvised, extemporized; and the use of power has been irresponsible because of the lack of an effective organization in Congress for doing what is necessary to hold executive leadership to account.

It is thought by the writer that little can be achieved through efforts directed toward making the administration more efficient as long as it is assumed that the problem is solely one of rearranging the bureaus and offices of the executive branch of the government. This conclusion seems warranted for two reasons: (1) because Congress, the determining and appropriating body will not consent to the building up of a well-integrated line and staff organization that centers in the executive;

*i. e.*, it will not do so while it retains its present organization for leadership; (2) because the people will not and cannot be expected to support an efficient administration until Congress develops means of inquest and control through which the people may be kept informed, and the executive may be made responsive and responsible. Strong executive leadership is incompatible with democracy unless it is based on good-will. The constitutional purpose of the representative body is to provide a means whereby the acts and proposals of the executive may be brought to the test of support. The problem of efficiency is therefore one which includes Congress as well as the executive branch.

Taking stock of the organization now set up by Congress, we find its machinery is not designed to perform this function; it is designed rather to take leadership in matters of administration and finance. That is about all there is to it—while the machinery of inquest and deliberation is only an accessory to be used to prevent executive leadership, and to break down executive discipline in case the President does not approve and support the leadership of the “chairmen”. An analysis of the committee organization and procedure gives ample proof of the assertion that Congress has organized its own membership for leadership in matters of finance and administration; and for preventing the development of line and staff faculties in the executive branch.

For the purpose of this analysis the same classification is used as in the outline of administrative services. The items starred would have a double relation; they may be taken up in one or another department responsible for the related series.

#### ORGANIZATION FOR THE EXERCISE OF LEADERSHIP BY MEMBERS OF CONGRESS IN THE FIELD OF EXECUTIVE RESPONSIBILITY

##### 1. *In the Senate*

##### (a) *Pertaining to National Defense and Foreign Relations*

##### Army

- (1) Coast Defenses
- (2) Military Affairs

##### Navy

- (3) Naval Affairs

##### State

- (4) Canadian Relations
- (5) Cuban Relations

( 6 ) Pacific Islands and Porto Rico

( 7 ) Phillipines

( 8 ) Territories

(b) *Pertaining to National Welfare*

Justice

( 9 ) Indian Depredations

(10) Investigation of Trespassers on Indian Lands

Social Welfare

(11) Indian Affairs

(12) Pensions

(13) Public Health and Quarantine

(14) University of the United States

(15) Five Civilized Tribes of Indians

Labor

(16) Immigration

Agriculture

(17) Agriculture and Forestry

(18) Irrigation and Reclamation of Arid Lands \*

Commerce

(19) Banking and Currency

(20) Census

(21) Commerce

(22) Conservation of National Resources \*

(23) Corporations in the District of Columbia

(24) National Bank

(25) Industrial Expositions

(26) Inter-oceanic Canals \*

(27) Interstate Commerce

(28) Manufacturers

(29) Mines and Mining \*

(30) Pacific Railroads \*

(31) Patents

(32) Railroads \*

(33) Standard Weights and Measures

(34) Transportation Routes to the Seaboard \*

(35) Transportation and Sale of Meat Products

Public Works

(36) Coast and Insular Survey \*

(37) Mississippi River and Tributaries \*

(38) Public Buildings and Grounds \*

(39) Public Lands

Postal Administration

(40) Post Office and Post Roads

(c) *Pertaining to National Finance, Administration and Personnel*

Treasury

(41) Appropriations

(391)



Administration and Personnel  
       (42) Civil Service and Retrenchment

2. *In the House of Representatives*

(a) *Pertaining to National Defense and Foreign Relations*

Army  
       ( 1 ) Military Affairs

Navy  
       ( 2 ) Naval Affairs

State  
       ( 3 ) Foreign Affairs  
       ( 4 ) Insular Affairs  
       ( 5 ) Territories

(b) *Pertaining to National Welfare*

Justice  
       ( 6 ) Judiciary

Social Welfare  
       ( 7 ) Alcoholic Liquor Traffic  
       ( 8 ) Education  
       ( 9 ) Indian Affairs  
      (10) Invalid Pensions  
      (11) Pensions

Labor  
      (12) Immigration and Naturalization  
      (13) Labor

Agriculture  
      (14) Irrigation of Arid Lands \*  
      (15) Agriculture

Commerce  
      (16) Banking and Currency  
      (17) Census  
      (18) Coinage, Weights and Measures  
      (19) Industrial Arts and Expositions  
      (20) Interstate and Foreign Commerce  
      (21) Merchant Marine and Fisheries  
      (22) Mines and Mining \*  
      (23) Patents  
      (24) Railways and Canals \*  
      (25) Rivers and Harbors \*  
      (26) Roads \*  
      (27) Water Power \*

Public Works  
      (28) Flood Control \*  
      (29) Public Buildings and Grounds \*  
      (30) Public Lands \*

Postal Administration  
      (31) Post Office and Post Roads

(c) *Pertaining to Finance, Administration and Personnel*

## Treasury

(32) Appropriations

(33) Budget

(34) Ways and Means

## Administration and Personnel

(35) Reform in the Civil Service

With this organization for apportioning out leadership in matters of administration, finance, and the selection of personnel among seventy-seven different "chairmen", who link up with and hold their jobs by service to "parties" outside the government that live on patronage—just think what a fine chance a man of commanding executive ability has to build up an efficient Department of Commerce. Without any opportunity to appear before the members of Congress to explain and defend measures which he may think necessary to the rendering of the important public services which his department is expected to administer, he must work in the dark with one or another of 29 different chairmen among whom have been allotted the function of leadership.

Now, from this list of congressional leaderships in matters of finance and administration let us turn to the organization in Congress for inquest, criticism, approval or disapproval of executive leadership—an organization which, of course, has nothing to do unless the executive undertakes to do some independent leading.

## ORGANIZATION IN CONGRESS FOR INQUEST OF THE ADMINISTRATION

1. *Committees in the Senate*

- a. Examine the several Branches of the Civil Service
- b. Expenditures in the Department of Agriculture
- c. Expenditures in the Department of Commerce
- d. Expenditures in the Department of Interior
- e. Expenditures in the Department of Justice
- f. Expenditures in the Department of Labor
- g. Expenditures in the Department of the Navy
- h. Expenditures in the Department of Post Office
- i. Expenditures in the Department of State
- j. Expenditures in the Department of Treasury
- k. Expenditures in the Department of War

2. *Committees in the House of Representatives*

- a. Expenditures in the Department of Agriculture
- b. Expenditures in the Department of Commerce
- c. Expenditures in the Department of Interior
- d. Expenditures in the Department of Justice
- e. Expenditures in the Department of Labor
- f. Expenditures in the Department of the Navy
- g. Expenditures in the Department of Post Office
- h. Expenditures in the Department of State
- i. Expenditures in the Department of Treasury
- j. Expenditures in the Department of War
- k. Expenditures on Public Buildings
- l. Select Committee on Expenditures in War Department

Below are the other committees through which Congress functions—an organization which addresses itself to questions or membership, procedure and legislation, as distinguished from leadership in matters of administration, finance and service personnel:

## ORGANIZATION OF CONGRESS FOR HANDLING THE ROUTINE OF LEGISLATION, ETC.

1. *Committees in the Senate*

- Audit and Control the Contingent Expenses of the Senate.
- Engraved Bills
- Enrolled Bills
- Printing
- Rules
- Disposition of Useless Papers
- Claims
- Woman Suffrage

2. *Committees in the House of Representatives*

- Accounts
- Mileage
- Enrolled Bills
- Library
- Printing
- Revision of Laws
- Rules
- Dispositions of Useless Papers
- Claims
- Elections
- Election of President, Vice-President, and Representatives in Congress
- Woman Suffrage

The above three lists, taken from a copy of the 1920 Congress-  
(394)

sional Directory, may not be complete or up to date. But the picture is true, in that it shows the extent to which Congress has gone to preserve to itself leadership within the field in which the executive would be much better qualified if his organization had not been sabotaged. The point here made is: that, by the act of taking over this leadership, Congress has unfitted itself for performing the constitutional functions that a representative system is assumed to perform—to serve the people as their agency of vigilance and prepare the way for the “electorate” to determine whom they will trust and follow as leaders—to be the medium through which leadership may be made efficient by reconciling it with good-will.

As has been pointed out, the only organization that really functions in Congress is that devoted to *leadership* in matters of administration and finance. In these committees the life and purpose of the government centers—except at the beginning of an administration before the new appointments have been made. Before the administration of public affairs can be efficiently managed, a line and staff organization must be instituted in the executive branch that links up the motor parts with a responsible head. At present the “chairmen” of committees, first above listed (with the “party” leaders and caucus) are the government of the United States. Instead of ours being a government which provides for a chief executive responsible to the people, and two other branches which undertake to conserve good will (the one political and the other judicial), we have an irresponsible leadership made up of the “leading” and “ranking” members of the forum established to make executives accountable for doing what they have refused to permit them to do, and which Congress has insisted on doing itself. When adequate provision is made for executive leadership in matters of finance and administration, the first list of Congressional committees will die of atrophy.

As has been said, the second group of committees, above listed (those organized for inquest of the administration) are the ones adapted to performing the true functions of Congress. At present they do not function except when the Cabinet belongs to a different party or for the purpose of maintaining the dominance of the “chairmen” in their leaderships. The processes of inquest in both groups are secret.

All decisions and congressional determinations are reached through "gentlemen's agreements" between the "chairmen" or between them and the President.

The third group of committees is simply the machinery for "putting over" the arrangements made between chairmen (or between chairmen plus party leaders) *on the floor*—an arrangement for getting the approvals of members of Congress required by the Constitution for making their acts legal. Instead of the representative body acting as an open forum for inquest into the acts and proposals of the administration and for the trial of questions at issue, using a procedure that will *inform the people*, the whole system is framed up to defeat this end. This is said without imputing to any member a motive to work secretly. It is the logical and necessary outgrowth of a procedure developed to promote leadership in matters of finance and administration by members of an inquisitorial appropriating body. It is an interesting fact that in time of peace Congress is charged by the public with the resulting inefficiency and waste; and, when from public necessity the standing committee leadership is set aside in time of war, the President is charged with resulting inefficiency and waste. Then this war-time waste is made the evidence used to reestablish a leadership that the "chairman" had to part with to keep the government from being overthrown by foreign foes.

If it be assumed it is desirable to reorganize the administration in such manner as to provide for executive leadership, and fix responsibility on the cabinet, such decision must carry with it the question as to what changes in the rules of Congress are needed to make this possible; or in case Congress refuses to change its rules, the people must take matters in their own hands and force it by constitutional amendment giving to the cabinet the privileges of the floor. The suggested committee organization which follows is based on the assumption that Congress will be willing to change its rules and provide a procedure to make the representative appropriating branch of the government an effective agency of inquest and criticism of the administration. That is, the rules governing the "committee of the whole", the organization of "standing committees", and the rules governing the "regular meetings" before which such questions come, should be adapted

to a full and fair trial of issues of political and social justice raised between administration leaders and their critics. The institutional purpose being to make those who are entrusted with the exercise of powers give an account of their stewardship, as a means of making efficient administration possible without the danger of usurpation, the requirements of public policy would demand that precautions should be taken to have decisions based on evidence and a full public hearing. In other words there is the same need for definition of issues, and for trial on evidence in open forum as in a court of law.

The further assumptions on which this suggestion is based are (1) that parties (in the sense of intra-national groups of persons who are single-minded or who have common interests in relation to questions in controversy)—that parties are necessary and desirable; (2) that a "division" is the necessary result of the adoption of any procedure of justice which calls for a vote "yes" or "no" on a single well-defined issue, at a time; (3) that responsible leadership is just as necessary to inquest and the trial of issues—is just as necessary to arriving at a decision by a constituent or representative group—as it is for effective group motorization and achievement; (4) that for the determination of any controversy arising over a question of group justice there must be a *proponent* and an *opponent* leadership—the one seeking or defending an action or proposal for action, the other seeking a judgment or vote against it; (5) that organization for inquest and discussion before a deliberative or constituent body, therefore, should be around, and the procedure should provide for, these two kinds of, leadership—those who are *for* and those who are *against* the motion or petition; (6) that for trial of questions arising out of executive leadership the procedure should admit this leadership to the forum and provide an effective means for carrying the cause through the various steps to a final determination before the voters if need be without confusion of issues or responsibility.

With these several hypotheses in mind, it is suggested that organization for leadership within Congress, having to do with questions of administration and finance, should be on the following lines: There should be uni-partisan organization in Congress for leadership at the trial—*i. e.* whenever and where-

ever Congress undertakes to define issues joined, adduce facts supporting the contentions of parties, or hear argument.

1. There should be a centrally controlled *pro-administration* leadership, selected by the executive, that would have the standing of an attorney or attorneys for the administration before the bar of the House or Senate.
2. There should be a recognized *opposition* leadership—a recognized leadership opposed to the policy and program of the executive—chosen by the critical-minded members to bring out the facts and arguments on that side of the case; and when so chosen the opposition leader, whether a member of the house or not, should have the privileges of the floor just as attorneys do in cases of contested elections.
3. There should be two kinds of committees—as at present—but organized on uni-partisan lines, each to assist the leaders. By reason of the fact that the administration would have adequate staff facilities to prepare its briefs-on-the-facts its membership committees would be for the purpose of determining party policy and managing its interests among the membership friendly to the administration. But by reason of the fact that the opposition leadership would have no staff in the administration, its standing committees should have powers of inquest similar to those given to the present “committees on expenditures”—in other words the critical standing committees should be of the opposition, to assist the opposition leaders to prepare its cases against the administration.
4. The only need there would be for bi-partisan, or multi-partisan committees, would be to report on matters of procedure, and to prepare for the consideration of matters which do not involve issues or excite controversies over questions of finance and administration.

This would mean that every issue or question to be discussed and voted on involving a question of finance and administration would be tried before the whole membership by representatives of *parties*—a *pro-administrative* party leadership on the one side and an *opposition* party on the other—each of which would be given all the facilities for preparing its cases in advance;

and the whole membership would have the benefit of a trial procedure which would give to each contestant a right to adduce evidence, to each the right of cross examination, to each full opportunity to be heard in public session before vote is taken.

To make this suggestion concrete: Let us suppose that the passing of the annual budget (prepared and submitted by the President) were the question before Congress. In the preparation of the budget all the "line" and "staff" faculties of the administration would be used. First the line and staff aids to each bureau head would have been employed, under the direction of the heads of line and staff of the department; then they would have had their results considered and focused through group heads in the "National Defense Council" on the one hand (preparing a military program), and in the "National Welfare Council" on the other hand in (preparing a national conservation and public service program). Thus in each department the executive would have made the proposals coming from his departmental council his own, before bringing them to the higher "Council", where they would be reviewed by the President and his advisers. Then the expenditure program as a whole would be considered in relation to revenues, by the President and the full cabinet, and the several programs ("Defense", "Welfare", "Administration and Finance") would be revised. As a matter of fact, with a well-coordinated system of administration, the detail programs of a budget would be constantly in process of making and under review all the year around—every decision made or to be made would have reference to a conscious plan. But once a year the several programs would be taken up as a "platform" of the administration which the cabinet would stand on when asking for support before Congress. And this would be brought before Congress in form for consideration of the whole membership at the beginning of the session. The only need that Congress would have for organization would be to make sure that the case of the *administration* be fairly and fully presented and explained, and that opportunity be given to the *opposition* to bring out every fact and argument that would aid members to vote intelligently as the jury; and that this be done in such a way that the people could listen in.



In order that issues may be intelligently raised and the relevant facts may be put in evidence by the administration, and by the opposition, equal opportunity must be given to the opposition to ask questions and to make independent inquiries into the acts and proposals of the administration. This would mean several things: (1) it would mean that the several critical or investigating committees of Congress (such as the present "committees on expenditures") should be selected and controlled by leaders or representatives of the critical-minded members (those who are questioning the acts and proposals of the administration on grounds of public policy)—and not, as at present, selected and controlled by "chairmen" as reward for service to the party supporting the administration. The purpose should be to provide the machinery in Congress for the exercise of "eternal vigilance"; (2) it would mean that the partisan leadership, having charge of the trial of the administration and the committees at work obtaining evidence of a critical character when the cabinet appear for the purpose of giving their account of stewardship and of asking for further support should have the benefit of preparation while Congress was not in session. The "departmental" committees on expenditures should be "recess" committees—*i. e.*, they should have access to records; these committees and the opposition leaders should have the right of inquest to prepare their case against the administration before the assembling of Congress, it being understood that such inquiries would be conducted, not in the newspapers, but as attorneys prepare their cases before going into court.<sup>1</sup>

Then the budget, when submitted, would be the first pleading in a proceeding before Congress, instituted by the administration. This would be followed by motions of the opposition for further particulars and by interpellation of members of the cabinet. After sufficient time had elapsed, let us say three or four weeks given to further preparation on each side, then the trial could well begin. For this purpose the two houses could meet in joint session, or singly. The hearing could be had first on broad lines for the consideration of questions of general policy; then in detail. But all the data now adduced in stand-

<sup>1</sup> This is the place for secrecy—not as at present when and where the trial actually takes place.

ing committees could be brought out before the whole Congress and in the first few weeks of the sessions. Thus the trial would bring the whole governmental program into the open. The budget hearing would take on the aspect of a great national drama—a contest between great national leaders. This at least would give us publicity; at most we would have a “two-ring circus”.

This is the alternative. The main business of the Senate and House each year would relate to one or another of three programs—“defense”, “welfare”, and “finance”. And instead of having seventy-seven legislative mills going all at once, each with its own hopper and sets of rolls, and these without a rumble in separate sound-proof committee-rooms, the people could know, and the members who are called in to vote could know, what was going into the hopper, and what was coming out; and the electorate could locate responsibility for results when things went wrong.

## V

### *Conclusion*

The aim of this memorandum is not to submit or suggest a specific plan for reorganization, but to raise question as to whether we really want efficient and economic government. If we do want efficiency, then as a matter of every-day common-sense we know that the first thing to do is to provide for strong executive leadership and for getting rid of a leadership which can not be trusted. As a matter of historic reflection, we know that no executive can be strong without the good will of the people, which in a democracy must come through the development of a procedure in the representative branch that is competent to enforce accountability. Without this the people will not stand back of any kind of leadership. An ineffective leadership may be maintained by methods that give the people only a choice between evils. But those who are interested in the maintenance of our institutions must be vitally concerned to have established a procedure which makes for good will. When elections are merely pretenses and opportunity is not given to choose between real leaders who stand for something constructive we may well be apprehensive.

*The Present Feeling of Unrest*

Nor is there any uncertainty about the conclusion that popular disquietude, suspicion, ill-will has been growing and to such an extent that it has already become one of the most serious menaces to our republican institutional foundations. If in planning for efficiency we make the assumption that effective cooperation must be based on good-will motorized through leadership, then we have something more to do than is suggested by the "Proposal" of the National Budget Committee. We must do something more than re-align a few bureaus.

Irresponsibility and secrecy in government, the things of which the people complain, is not to be cured by bringing the head of the Senate into the Cabinet, and turning over to a "super-committee", composed of the "leaders" in the House, the power to make the budget. These changes may make irresponsible and secret government more orderly. They may make it easier to operate. But government is still irresponsible and secret. These are methods of secrecy and must in the end provoke ill will. They hold out a measure of hope, however; for the path of progress in human experimentation has been marked by misadventure. The way to human wisdom in institutional building has been the thorny road traveled through generations spent in finding out what not to do. Failure comes only to those peoples who cannot learn.

While a hundred and forty years of waste and inefficiency is a history that at first may invite discouragement, the hopeful thing about it is that during the last few years for the first time we as a nation have felt the need for public service enough to be interested in its efficiency; and for the first time we are now beginning to grasp the importance of the two essentials of efficiency — leadership and popular good-will. When these essentials are clearly seen by the people themselves there will be no uncertainty about their demand for institutional changes adapted to securing both.

*Possibilities of Able and Responsible Leadership without Constitutional Change*

Had not the interests of the political leaderships in Congress prevailed against Washington and Hamilton (and for that matter, against the exhortation of Madison in the Constitutional

Convention to beware of representative autocracy)—had not the “standing committee system” prevailed (which it could not have done if the Cabinet had been permitted to have the privileges of the floor) we would doubtless have developed something very like the French Parliamentary system here. Under the Constitution, we would have had a President with a fixed tenure as the personification of the sovereignty of the people; a Cabinet appointed by the President as the responsible heads of the several departments of the motor organizations of the government; the Congress in a position to enforce accountability and responsibility for leadership through control over the purse and inquest of the administration; the Cabinet forced to resign whenever one or more were unable to obtain or retain the support of a majority of both branches of the representative body. We probably would have done better than the French have been able to do, because we had no “monarchist” party, and no international necessities which would have brought into being a Napoleon; therefore, there would have been no background for the development of such a device as the French “commission” chosen by lot, one member from the representatives of each district (state) to whom would be entrusted the preparation of the national program or programs as intermediate between the Cabinet and the appropriating body—and the effect of which in France has been to break up the two party system and destroy solidarity of Cabinet responsibility. We would probably have first developed a system by which the President would have been permitted to keep in the Cabinet only men whom a majority of Congress would follow; and we would have had an executive leadership that would have been constantly before the country. In that case we would have had an executive who would have been looked to for leadership; and the people would have supported his demand for a procedure in the representative body by which he would have been given a chance to meet his critics face to face. This way is still open without change of a word of the Constitution. It would require only the change of the “rules”. But there is the rub. Back of the rules, as they have been developed, is a century and a half of alignments and group habits, by which the motor-minded have adapted their plans and their leaderships to an irresponsible invisible “gov-

ernment-by-chairmen-of-standing-committees". Before the rules can be changed, public opinion must become so thoroughly convinced and "the people" so militant that it might be a safer and easier procedure to call a convention, and write a procedure into the Constitution than to change the rules. But if public opinion can be brought to demand a change in rules giving to the cabinet the privilege of the floor, decision as to what kind of further adjustment is needed would follow naturally from experience.

What questions would follow may be briefly stated: (1) We can have a responsible cabinet simply by change of the rules. In that case the head of the cabinet must be prime minister so long as the President has a fixed term. Our President would impersonate the dignity and sovereignty of the people; he would be responsible for the conduct of elections and appointments and the maintenance of the quality and efficiency of the personnel of the permanent or continuing civil service and for the appointment of a prime minister and Cabinet who would be held accountable for leadership in planning and the execution of plans—an arrangement fully provided for by our present Constitution, assuming that Congress might adjust its rules and procedure to this form of organization for reconciling efficiency and good will; (2) we can make the President our prime minister, responsible for the political leadership, instead of regarding him as a person chosen to represent national sovereignty. Thus we would elect our business manager or prime minister, but this would require a change in the constitution to provide for a new election in case of a deadlock; (3) in either case whether the President is to be regarded as prime minister or as the organ of sovereignty charged with the administration of election and appointing machinery and the protection of the integrity of the institutions established by the people—whether the one or the other—we still have before us the problem of a procedure which makes for publicity in order that the principle of popular sovereignty be made effective. But having provided for publicity through open-forum inquest of the administration, leadership is bound to assert itself.

If public opinion can be brought to the point of forcing Congress to change its rules, this would seem to be the normal and effective way, for after all institutions, like other things

that have life, must grow. And if public opinion cannot be brought to this point it would make no difference what was written into the Constitution. The old system and life would go on just the same. Of one thing we may feel assured: that a change of rules in a manner to give publicity to acts of government through giving to the executive the powers as well as responsibilities for leadership in open forum, could not do harm—even though no provisions were made either for the retirement of a discredited cabinet or for appeal to the electorate in case of a deadlock.

## VI

### *Reply to Criticisms by Mr. Taft*<sup>1</sup>

Exception is taken to certain points made by President Taft with a feeling of very great respect for his superior wisdom—with a feeling of even greater gratitude and deference to him as the outstanding leader in the dramatization of the need of administrative reorganization and budget reform before the country. His is the one great name associated with the campaign of education that has been going on since 1910. Against the opposition of Congress, the budget idea, of which Mr. Taft became the advocate, has found expression in resolutions and platforms of political parties; a budget procedure became the subject of legislative action in forty-six of the forty-eight states; and finally it caused those who opposed it on Capitol Hill to run up a white flag. This is a great accomplishment, for which the chief credit is due to President Taft.

Discussing the proposed changes in rules of Congress, President Taft has commended my idealism; at the same time he questions the legal soundness and practicability of my "theories of government". I listened with very great interest to what he had to say, in order that I might further benefit from his counsel and advice. It gave me renewed confidence to note that he agrees with me both as to the legality and practicability of my main contentions. His criticism is directed to three points: (1) that I am standing for the British parliamentary system; (2) that I am asking Congress to tear down their standing committee system; (3) that I would destroy the independence of the two political branches of the government—the executive and Congress. These are assumptions I wish to correct—not alone because I have left such an impression in the mind of President Taft, but also because like impressions seem to have

<sup>1</sup> See *infra*, p. 90.

been made on the minds of other writers and public speakers who have done me the honor to discuss my position.

What I am urging is no more British than it is French, or Swiss, or Czecho-Slovak, or Finnish. What I am urging is that we as a nation in our search for the institutional means of making the government serviceable to democracy benefit from the experience of others—and especially that we take note of the devices which have been found effective for making the representative branch an instrument of popular control—effective as an institutional means of enabling the popular electorate to act as final arbiter of questions of leadership and public policy. The principle that I have enlarged on is the principle of the town-meeting—an organization and procedure in a representative system which would require those who are entrusted with leadership in public service to stand up before the voters and give an account of their stewardship; not alone this but also explain in advance and defend the plans or program for which they are asking for continued support. The only reason that the town-meeting cannot be used is, that 40,000,000 voters cannot sit together in conference. It therefore becomes necessary to select representatives to act for them. But having done this, they must insist on a procedure which will enable the 40,000,000 voters to “listen in” and on appeal have the final say—otherwise the representative system becomes an oligarchy; representative government fails to serve the ends of democracy. Now this proposition is simple enough, isn’t it? And it is not to be thought of as a new or strange theory evolved by an academician. To put it another way: It is no more revolutionary or reactionary, no less American than the jury system. There was a time in Central Europe and in England when all the voters of small democratic communities came to sit as a court of justice. When these communities became too numerous and widely scattered, representatives were chosen to sit as a jury for the people, to hear cases and voice the common sense of the community as to what was just and desirable. And in order to make the decisions of these representatives acceptable to the people, a procedure was adopted which required, among other things: that the issues to be decided be clearly stated in such form that a conclusion could be reached by a “yes” or “no” vote; that the petitioner or defendant should be permitted to come into the court before the whole jury and explain or defend his acts or proposals; that the issues be tried on evidence and not on “hearsay”; that he be permitted to meet his critics or adversaries face to face; that he have the benefit of counsel; and that the whole trial be conducted publicly so that the news-gatherers could listen in, and not in “star chamber”; and finally that an appeal might be taken to a higher court on the evidence and arguments presented to

the jury. What I have been urging is that a procedure which conserves these fundamental principles be developed in Congress—the representative branch of the government established by our Constitution for the trial of questions of public trusteeship and for the determination of issues of political and social justice. It is my firm belief that until such a procedure is developed neither the executive branch nor the representative branch of the government may expect to enjoy the confidence of the people—in support of which position may I quote, not from the tomes of “theorists” but from the report of the only committee ever appointed by Congress for the consideration of the desirability of admitting the members of the cabinet to the privilege of the floor when questions of finance and administration are discussed :

Would it not be better that their opinions [the opinions of heads of departments] should be expressed, their facts stated, their policy enforced, their acts defended in open-day on the floor of the House, in the face of the nation, in public speech, in official, recorded statement, where there can be no hidden purpose, no misconception, no misrepresentation?

This would enlighten the House, inform the country, and be just to the officer. It would substitute a legitimate for an illegitimate power. It would establish an open, official, honorable mode of exercising that power instead of a secret unrecognized mode, liable to abuse, and therefore always subject to the suspicion that it has been abused. (Report of Senate Select Committee, Privilege of the Floor to Cabinet Officers, 1913, 63rd Cong., Special Sess., Sen. Doc. No. 4, p. 19.)

This doesn't sound “theoretical”, does it? Isn't that just plain common sense, recognized as such not alone by these other countries that have been developing a representative system, but by every business corporation in the land? To make quite clear my position, may it be recalled that at the time our Constitution was adopted such a parliamentary procedure had not been worked out. We were the pioneers in establishing a federal representative forum—an institutional plan for making the principles of the town meeting effective in a large way. And after the Constitution was adopted, Congress refused to play this rôle. When Washington requested a hearing through Hamilton, congressional leaders refused to make our representative body a jury of the people. But when we look to the representative bodies of the nations which followed later in their constitutional development, we find they have done much. I am urging that we draw on this experience in so far as it may be useful, in adapting our constitutional system to the needs of a great democratic



people whose institutional foundations must be the good will, the intelligently guided opinion of our 40,000,000 voters.

With respect to the second point—I have not urged that Congress tear down its committee system (built up to further their own leadership), but that it provide an organization and procedure for the trial of causes involving questions of finance and administration and of persons to be held responsible for planning. This will mean the development of a committee system, which can function as aid to a fair trial of the administration. It will mean that instead of “gag rule” being applied to the opposition, the critical committees shall be the servants of the people to bring out the case against the administration; that the critical committees shall be built up around the leaders of the opposition, who will act as inquisitors in open forum. It therefore means that a very large number of the committees, some seventy-odd of them, as Congress is now organized to promote legislative leadership in these matters, will die of atrophy, when such a trial procedure is adopted.

With respect to the third point, that I would destroy the independence of the two political branches of the government, I am aware that the conclusion of President Taft has back of it an interpretation that runs through our legal and political literature to the first administration—an interpretation which assumes that it is an essential quality of our constitutional plan to keep the cabinet off the floor when Congress is in session for the transaction of business. But I believe that this interpretation grew out of a fight for leadership in which an appeal was made to prejudice for support of an unwarranted use of power on the part of Congress, the effect of which has been to destroy the very independence which it was the aim of the Constitution to establish. While the version accepted by President Taft has been continuously offered by members of Congress as a reason for building up the practices which have obtained, the cogency of this reasoning is questioned by the only congressmen who are on record as having given considerable study to the subject—the Senate select committee to which this matter was referred. In support of its findings, these men, who went into the whole question of constitutionality very thoroughly, had this to say:

Your committee is not unmindful of the maxim that in a constitutional government the great powers are divided into legislative, executive, and judicial, and that they should be conferred upon distinct departments. These departments should be defined and maintained, and it is a sufficiently accurate expression to say that they should be independent of each other. But this independence in no just or practical sense means an entire separation, either in their organization or their functions—isola-

tion, either in the scope or the exercise of their powers. Such independence or isolation would produce either conflict or paralysis, either inevitable collision or inaction, and either the one or the other would be in derogation of the efficiency of the government. Such independence of cocqual and coordinate departments has never existed in any civilized government, and never can exist. . . . If there is anything perfectly plain in the Constitution and organization of the government of the United States, it is that the great departments were not intended to be independent and isolated in the strict meaning of these terms.<sup>1</sup>

The point that I am making is that the result of the time-honored interpretation is and has been to produce conflict and paralysis between the two branches which would have been deadening but for the fact that an irresponsible secret leadership, exercised largely outside the government, has grown up and become the dominant power—a leadership which has been invisible, which could not be held accountable, and which has been able to perpetuate itself because the people have been deprived of the benefit of the publicity of an open forum procedure for inquiry into questions of political justice. It would be just as logical to say that it destroys the independence of action of citizens to require them to come into court in order that their controversies might be settled by a jury after full and fair trial, as it is to say that it destroys the independence of the executive to require the heads of departments to come openly before congress to give an account of their action and explain their requests for support. It would be just as logical to say it destroys the independence of the courts to abolish "star chamber" proceedings and provide for leadership in trials by attorneys for the parties litigant, as it is to say that the independence of Congress would be destroyed by looking to the cabinet for leadership in matters of finance and administration.

To conclude on this point—my thought is that what the American people are interested in, after a century and a half of miscarriages of political and social justice, inefficiency and waste, is not a constitutional theory which will continue to support boss-rule and invisible government but a working relation which (while guaranteeing the independence both of their executive trustees and Congress as the political court before whom they must come to give an account) will enable our 40,000,000 voters to know whom they may trust and follow—a procedure which will make Congress a vicarious national town-meeting. The procedures suggested are based on a conviction that this is the real constitutional purpose of our representative system.

<sup>1</sup> See *Report*, pp. 6-8, 63d Cong. Special Sess. Sen. Doc. 4.

## APPENDIX

### OUTLINE—SHOWING A SUGGESTED REARRANGEMENT OF OFFICES AND SERVICES OF THE FEDERAL GOVERNMENT

To exemplify the principles set forth in the "Alternative Plan" discussed above (see pages 47 to 58, inclusive) <sup>1</sup>

#### I. Overhead Organization to Provide for Intelligent and Effective Executive Direction and Control over Matters of Finance, Administration, and Personnel

##### The President

Secretary to the President—general, political, and legislative assistant

**Assistant Secretary (Secretary of the National Defense Council)**

**Assistant Secretary (Secretary of the National Welfare Council)**

**Assistant Secretary (Secretary of the Administration Council)**

Executive Office Secretary—in charge of the clerical force and office routine

##### (The Cabinet)

(The Administration Council) — The President's Assistant — Secretary of the Administration Council; Secretary of the Treasury; Secretary of Administration; with such others as are designated by the President)

(The National Defense Council—see below)

(The National Welfare Council—see below)

##### The White House

Executive Offices

The Mansion

Executive Transportation Service

<sup>1</sup> Light-face Roman type—used to indicate offices or services that would not be changed.

**Black-face Roman type**—used to indicate suggested new offices.

*Light-face Italics*—used to indicate offices or services that would be transferred to the department and made responsible to the Cabinet officer at the Head.

**LIGHT-FACE SMALL CAPS**—used to indicate offices or services which it is suggested should report to and be represented in the Cabinet by the head of the department indicated, but which would not be subject to his direction and control.

2. Department of the Treasury

The Secretary of the Treasury  
The Assistant Secretary  
The Second Assistant Secretary  
The Third Assistant Secretary  
The Fourth Assistant Secretary  
Executive Offices

**(Treasury Department Council)**

**Liaison Officers**

**(Bureau of the Budget—Pending)**

Commissioner of the Public Debt  
Division of Loans and Currency  
Register of the Treasury  
Division of Public Debt  
Commissioner of Accounts and Deposits  
Division of Bookkeeping and Warrants  
Division of Public Moneys  
Division of Deposits  
Treasurer of the United States  
Bureau of the Mint  
War Loan Organization  
Savings Division  
United States Section, Inter-American High Commission  
Bureau of Internal Revenue  
Solicitor of Internal Revenue  
Division of Customs  
Customs Service  
Bureau of Engraving and Printing  
Section of Surety Bonds  
Solicitor of the Treasury

2. Department of Federal Administration

**Secretary of Administration**

**Executive Offices**

**(Administration Department Council)**

**Assistant Secretary for Personnel**

CIVIL SERVICE COMMISSION

*Salaries and Grades Standardization Commission*

**Assistant Secretary for Economy and Efficiency**

*United States Bureau of Efficiency*

*Department of Economy and Efficiency Committees*

**Assistant Secretary for Supplies**

**Bureaus of Supplies**

*General Supply Committee*

*Department Supply Committees*

**Assistant Secretary for Accounts and Audits**

*General Accounting Offices (pending)*

**Solicitor of Department of Administration**

II. Statutory Departments and Offices for Exercising the Constitutional,  
Military and Foreign Powers of Executive

**National Defense Council (War Cabinet)**

(The President, Secretaries of War, Navy, State, Treasury, and  
Administration—with such others as may be called by  
the President)

*War Credits Board (War Council)*

*National Advisory Committee for Aeronautics*

**Liaison Officers**

3. Department of State

The Secretary of State

The Under Secretary

The Assistant Secretary

The Second Assistant Secretary

The Third Assistant Secretary

Executive Offices

**(The State Department Council)**

Diplomatic Service

Consular Service

Division of Western European Affairs

Division of Near Eastern Affairs

Division of Far Eastern Affairs

Division of Russian Affairs

Division of Latin-American Affairs

Division of Mexican Affairs

Diplomatic Bureau

Consular Bureau

Foreign Trade Advisor's Office

Division of Foreign Intelligence

Bureau of Political Information

Division of Passport Control

War Trade Board Section

Visé Office

Bureau of Insular and Territorial Administration

Solicitor

PAN-AMERICAN UNION

INTERNATIONAL COMMISSION

4. Department of War

The Secretary of War

The Assistant Secretary

Executive Offices

The General Staff (of the Army)

War Boards and Commission

Office of the Adjutant General

Office of the Inspector General

Office of the Judge Advocate General

Office of the Quartermaster General  
Office of the Chief of Finance  
Office of the Surgeon-General  
Office of the Chief of Ordinance  
Office of the Chief of Chemical Warfare Service  
Militia Bureau  
Office of the Chief Signal Officer  
Office of the Chief of the Air Service  
Office of the Chief of Infantry  
Office of the Chief of Cavalry  
Office of the Chief of Field Artillery  
Office of the Chief of Coast Artillery  
Office of the Chief of Engineers  
United States Soldiers' Home  
(The Mobile Army)  
(Military Establishments, stations and reservations)

5. Department of Navy

The Secretary of the Navy  
The Assistant Secretary  
The General Staff (of the Navy)  
Navy Boards  
Executive Offices  
Office of Naval Operations  
Bureau of Navigation  
Bureau of Yards and Docks  
Bureau of Ordinance  
Bureau of Construction and Repair  
Bureau of Engineering  
Bureau of Supplies and Accounts  
Bureau of Medicine and Surgery  
Navy Allotment Office  
Judge Advocate General  
Solicitor  
(The Fleet)  
(Yards and Stations)

III. Statutory Departments and Offices for Promotion of the National Welfare

National Welfare Council (Peace Cabinet)

(The President, Attorney-General, Secretaries of Social Welfare,  
Labor, Agriculture, Commerce, Public Works, Post-  
master, Treasury, and Administration)

Conversation Commission—(advisory body)

Liaison Officers

# 6. Department of Justice <sup>1</sup>

The Attorney General

The Solicitor General

Executive Offices

## (Justice Department Council)

Assistant to the Attorney General

Anti-Trust Division

Assistant Attorney General

Division for the Defense of Suits

Assistant Attorney General

Public Lands Division

Title Division

Assistant Attorney General

*Steamboat Regulation Service (cooperating the Department of Commerce)*

Division of Taxation, Prohibition, Insurance, Minor Regulations of Commerce, and Prisons

Assistant Attorney General

Divisions of Admiralty, Finance, Foreign Relations, Territorial and Insular Affairs

Assistant Attorney General

Customs Division

Assistant Attorney General

Criminal Division

Bureau of Investigation

Division of Secret Service

High Cost of Living Division

General Intelligence Division

Attorney in charge of Titles

Alien Property Custodian

# 7. Department of Social Welfare <sup>2</sup>

## (Education, Health, and Social Welfare)

The Secretary of Social Welfare

Executive Offices

<sup>1</sup> It is to be noted that in some of the departmental outlines the assistant-heads are all shown immediately under the Cabinet officer, or head (see Army, Navy, etc.), and in some the assistant-heads are shown as distributed or assigned to separate groups of related functions or services. Where the latter arrangement is used, it is simply to make more clear the need for sub-executives who would serve as specialized aids to the Cabinet of four for purposes of management, each of which might have both "line" and "staff" equipment. (See Social Welfare, Commerce, etc.)

<sup>2</sup> This is set up in the form indicated to combine the features seemingly contemplated in the public statements of President Harding. In case two or three separate departments were created, the related interests should then be correlated through an interdepartmental council, and liaison.

(Social Welfare Department Council—to be composed of Secretary of Div., Assistant Secretaries of Education, Health, Welfare, and Social Insurance, and such others as may be called in by the Secretary of the Department)

**Assistant Secretary for Public Education**

(National Education Commission)

*Bureau of Education*

*Office of Indian Affairs*

*Howard University*

*Columbia Institution for the Deaf*

*Vocational Training Section, Federal*

*Board for Vocational Education*

*Vocational Rehabilitation Section (from the*

*War Risk Bureau)*

*Smithsonian Institution*

*United States National Museum*

*International Exchange Service*

*Bureau of American Ethnology*

*Astrophysical Observatory*

*National Zoological Park*

*International Catalogue of Scientific Literature*

**Assistant Secretary for Public Health**

(National Health Commission)

*Public Health Service*

*Division of Public Health Records*

*United States Interdepartmental Social Hygiene Board*

*St. Elizabeth's Hospital*

*Freedman's Hospital*

**Assistant Secretary for Social Welfare Agencies**

(Social Welfare Commission)

*Superintendent of Prisons (from the Department of Justice)*

*Bureau of Parol*

*Children's Bureau*

*United States Soldiers' Home*

*National Home for Disabled Volunteer Soldiers*

**Assistant Secretary for Compensations and Social Ins.**

(National Insurance and Pension Commission)

*Bureau of Pensions*

*Bureau of War Risk Insurance*

*United States Employees' Compensation Commission*

**Solicitor**

**8. Department of Labor**

The Secretary of Labor

(National Commission on Industrial Relations)

The Assistant Secretary

Executive Offices

(The Labor Department Council)

Bureau of Immigration



Bureau of Naturalization  
 Bureau of Labor Statistics  
 Women's Bureau  
 Division of Conciliation  
     United States Board of Mediation and Conciliation  
 United States Labor Board (Railway Administration)  
 United States Employment Service  
 Bureau of Industrial Housing and Transportation  
 Solicitor

#### 9. Department of Agriculture

    The Secretary of Agriculture  
         (National Agricultural Commission and Inter-State  
         Conference)  
     The Assistant Secretary  
     Executive Offices  
     (The Agriculture Department Council)  
     Office of Farm Management  
     Bureau of Animal Industry  
     Bureau of Plant Industry  
     Bureau of Chemistry  
     Bureau of Soils  
     Bureau of Entomology  
     Bureau of Biological Survey  
     Division of Publications  
     Bureau of Crop Estimates  
     States Relations Service  
     Bureau of Markets  
     Insecticide and Fungicide Board  
     Federal Horticultural Board  
     Solicitor

#### 10. Department of Commerce

    The Secretary of Commerce  
         (National Commerce Commission)  
         (National Commission on Mining and Manufactures)  
         (National Transportation Commission)  
         (National Banking and Foreign Exchange Com.)  
     (Commerce Department Council)  
     Assistant Secretary in Charge of Scientific Services  
         Bureau of the Census  
         Patent Office  
         UNITED STATES TARIFF COMMISSION  
         Bureau of Foreign and Domestic Commerce  
         Bureau of Standards  
         National Screw Thread Commission  
         Bureau of Fisheries  
         Coast and Geodetic Survey  
         Lakes Survey Office

*Hydrographic Office*

*Naval Observatory*

*Weather Bureau*

**Assistant Secretary for Operative Services**

Bureau of Navigation

**Inland and Coastwise Waterways Service**

INTERSTATE COMMERCE COMMISSION

UNITED STATES SHIPPING BOARD (†)

UNITED STATES RAILROAD ADMINISTRATION (†)

PANAMA RAILROAD CORPORATION (†)

PANAMA CANAL COMMISSION (†)

Bureau of Lighthouses

Coast Guard

**Assistant Secretary for Loans and Commercial Credits**

WAR FINANCE CORPORATION

FEDERAL RESERVE BOARD

FEDERAL FARM LOAN BUREAU (FROM THE TREASURY)

**II. Department of Public Works <sup>1</sup>**

**The Secretary of Public Works**

(National Engineering Commission)

(National Works Commission)

*Federal Power Commission*

*War Material Relief Commission*

*Mississippi River Commission*

*California Debris Commission*

(National Architectural Commission)

(National Park Commission)

**The Assistant Secretary**

(Public Works Department Council)

**Assistant Secretary for Engineering Surveys and Estimates**

*Geological Survey*

*Bureau of Civil Engineering—Departmental Service*

*Board of Engineers, New York City*

*United States Engineering Offices*

**Assistant Secretary for Works Construction**

*Reclamation Service (Construction)*

*Bureau of Public Roads*

*Board of Road Commissioners for Alaska*

<sup>1</sup> A suggested organization is here outlined on the assumption that a department of public works would be the servant of the other departments in that it would maintain a common engineering staff for purposes of making preliminary and final surveys, preparing plans and specifications for contracts, supervising construction, and operating transportation and other public works or public buildings when desired, but that the necessity for such public works or buildings would be determined by the department in charge of the function or public service to which this would serve as an aid. (See comments in text p. 40-43.)

*Bureau of Rivers and Harbors*  
*Board of Engineers for Rivers and Harbors*  
*Alaska Engineering Commission*

**Assistant Secretary for Works Operation**

*Reclamation Service (operative)*  
*Supervisor of New York Harbor*  
 PANAMA CANAL  
 PANAMA R. R. CORPORATION  
 U. S. EMERGENCY FLEET CORPORATION

**Assistant Secretary for Public Buildings**

*Bureau of Public Buildings*  
*Supervising architect's office*  
*Commission on Fine Arts*  
*Office of Public Buildings and Grounds, and*  
*Washington Monument*  
*Division of Capitol Buildings and Grounds*  
*Superintendent of State, War and Navy Buildings*

**Assistant Secretary for Public Lands and Forest Protection**

*General Land Office*  
*Forest Service*

**Solicitor**

**12. Post Office Department**

Postmaster General  
 Executive Offices

**(Post Office Department Council)**

**The First Assistant Postmaster General**

Postmasters' Appointments Division  
 Post Office Service Division  
 Dead Letter Division

**The Second Assistant Postmaster General**

Railway Mail Service Division  
 Railway Adjustments Division  
 Foreign Mails Division  
 Aerial Mails Division

**The Third Assistant Postmaster General**

Money Order Division  
 Postal Savings Division  
 Registered Mails Division  
 Stamp Division  
 Finance Division  
 Classification Division

**The Fourth Assistant Postmaster General**

Rural Mails Division  
 Equipment and Supplies Division

**The Chief Inspector**

**The Purchasing Agent**

**Solicitor**

IV. Establishments Under Congressional Direction

(For Serving and Advising the Legislative Branch)

Library of Congress

United States Botanic Garden (!)

Government Printing Office

Grant Memorial Commission

Arlington Memorial Amphitheater Commission

Lincoln Memorial Commission

National Forest Reservation Commission

Commission on Memorial to Women of the Civil War

Meade Memorial Commission

Public Buildings Commission

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